

U.S. Patent Application Serial No. **10/548,084**  
Amendment filed February 18, 2009  
Reply to OA dated November 18, 2009

### **REMARKS**

Claims 1-8 are currently being examined in this application, with claims 1 and 6 being rejected by the outstanding Office Action. The applicants thank the Examiner for indicating that claims 2-5, 7 and 8 have been allowed. Claim 1 has been amended in order to more particularly point out, and distinctly claim, the subject matter to which the applicants regard as their invention. The applicants respectfully submit that no new matter has been added, and it is believed that these amendments are fully responsive to the Office Action dated **November 18, 2008**.

The Office Action has rejected claims 1 and 6 under 35 U.S.C. § 102(e) as being anticipated by Fukano (U.S. Patent Publication No. 2003/0201015 A1). In making this rejection, the Office Action asserts that a piston 72 and shaft 76 of Fukano disclose the working member for automatic operation of the valve member, and element 18 teaches the working member for manual operation of the valve member, as described in paragraph 0030. In doing so, the Office Action asserts that Fukano shows a working member 18 for manual opening and closing that is moveably fitted (around the outside) of the working member 76 and 72 being attached to the support ball 118. The Office Action further asserts that the working member in automatic opening and closing of Fukano has a tube-shaped portion being threadedly fixed to the outside of the support portion for the ball 118.

The Applicant respectfully request reconsideration of the position that Fukano discloses those elements found in the previously entered amendments. In particular, see paragraphs 0063-0072 of

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of Fukano. Therein, the Fukano reference teaches that the shaft 76 of Fukano “is displaced downwardly to be the valve-closed state in which the diaphragm 78 is seated on the valve seat 30.” (Paragraph 0070).

However, the regulating handle displaces “the flow regulating shaft 126 downwardly until upper surface of the insertion hole 134 of the flow regulating shaft 126 abuts against the upper surface of the holding member 108 screwed with the shaft 76”. Fukano (particularly FIG. 5) shows that the flow regulating shaft 126, being part of the working member for manual opening and closing, is not moveably fitted within the working member for automatic opening and closing (being the shaft 76 and piston 72 (as cited by the Office Action ). Instead, both approach the flow to be stopped from different directions. Thus, Fukano does not teach that the working members both move in the same direction.

To clarify this point, claim 1 now recites that the working members move from the same direction. That is, the working member in automatic opening and closing and the working member in manual opening and closing actually open and close the valve in the same direction as each other.

In view of this amendment, claim 1 is now in condition for allowance and believed to be patentable. Withdrawal of the outstanding rejection of claim 1 under 35 U.S.C. § 102(e) is now in order and respectfully solicited.

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Due of its dependence on claim 1, the Applicants respectfully assert that Fukano does not anticipate claim 6, because the reference does not teach the elements of claim 1, as discussed above.

As such, claim 6 is now in condition for allowance and believed to be patentable. Withdrawal of the rejection of claim 6 under 35 U.S.C. § 102(e) is now in order and respectfully solicited.

In addition to claims 2-5, 7 and 8, and in view of the aforementioned amendments and accompanying remarks, claims 1 and 6 are believed to be patentable and in condition for allowance, which action, at an early date, is requested.

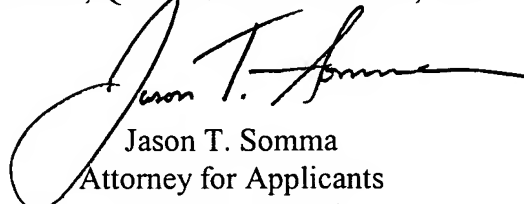
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees that may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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